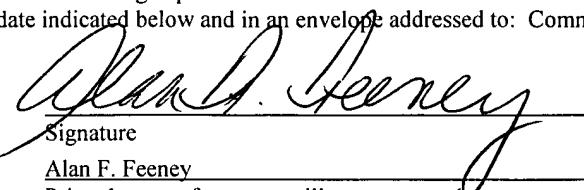


PATENT
ATTORNEY DOCKET NO. 046/US/PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV493188298US with sufficient postage on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature
Alan F. Feeney
Printed name of person mailing correspondence

Date of Deposit: 11-22-2004

Applicant:	CAWTHORNE, M. et al.	Art Unit:	1653
Serial No.:	09/423,683	Examiner:	MOHAMED, Abdel
Filed:	March 20, 2000		
Title:	METHOD OF TREATING HYPERLIPIDEMIA		

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or

(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

under 37 CFR 1.97(c) together with either:

a Statement under 37 CFR 1.97(e), as checked below, or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:

a Statement under 37 CFR 1.97(e), as checked below, and

a Petition under 37 CFR 1.97(d)(2), and

a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.

(Filed after payment of issue fee)

Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

[] Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of each reference noted thereon.

[X] Enclosed herewith is form PTO/1449 (4 pages; reproduced form), with a copy of non-patent and foreign patent references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.

[] Copies of the reference(s) noted on the enclosed form PTO/1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. [] cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. [].

Concise Explanation Requirement (non-English references):

[X] The "concise explanation" requirement for reference(s) [AI, AJ] under 37 CFR 1.98(a)(3) is satisfied by:

- [] the explanation provided on the attached sheet.
- [] the explanation provided in the Specification.
- [] submission of the enclosed International Search Report.
- [X] the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

- [] Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- [] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- [X] No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- [X] The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

By 
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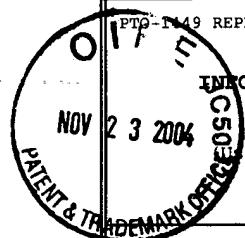
ATTORNEY DOCKET NO.
00537/163002APPLICATION NO.
09/423,683

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
23 NOV 2004
(use several sheets if necessary)

APPLICANT
CAWTHORNE, et al.FILING DATE
March 20, 2000GROUP / EXAMINER
1653/Mohamed, Abdel

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A	4,133,782	1/1979	Vale, Jr. et al.			
	B	4,146,612	3/1979	Veber			
	C	4,190,575	2/1980	Sarantakis			
	D	4,190,648	2/1980	Veber			
	E	4,209,426	6/1980	Sarantakis			
	F	4,211,693	7/1980	Rivier et al.			
	G	4,215,039	7/1980	Sarantakis			
	H	4,224,199	9/1980	Meyers et al.			
	I	4,235,886	11/1980	Freidinger et al.			
	J	4,238,481	12/1980	Rink et al.			
	K	4,261,885	4/1981	Sakakibara et al.			
	L	4,282,143.	8/1981	Sarantakis			
	M	4,291,022	9/1981	Sandrin et al.			
	N	4,310,518	1/1982	Freidinger et al.			
	O	4,316,890	2/1982	Kamber et al.			
	P	4,328,214	5/1982	Rink et al.			
	Q	4,358,439	11/1982	Sieber et al.			
	R	4,360,516	11/1982	Freidinger et al.			
	S	4,369,179	1/1983	Rink et al.			
	T	4,395,403	7/1983	Bauer et al.			
	U	4,435,385	3/1984	Bauer et al.			
	V	4,485,101	11/1984	Coy et al.			
	W	4,486,415	12/1984	Freidinger			
	X	4,522,813	6/1985	Nutt			
	Y	4,585,755	4/1986	Morgan et al.			
EXAMINER				DATE CONSIDERED			



Information Disclosure Citation in an Application (use several sheets if necessary)	ATTORNEY DOCKET NO. 00537/163002	APPLICATION NO. 09/423,683
	APPLICANT CAWTHORNE, et al.	
	FILING DATE March 20, 2000	GROUP / EXAMINER 1653/Mohamed, Abdel

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
Z		4,603,120	7/1986	Kamber			
AA		4,650,787	3/1987	Schally et al.			
AB		4,684,620	8/1987	Hurby et al.			
AC		4,725,577	2/1988	Schally et al.			
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AH		5,506,339	4/19960	Coy et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
AI		0 030 920	6/1981	EP			
AJ		0 083 305	7/1983	EP			
AK		0 203 031	11/1986	EP			
AL		0 329 295	8/1989	EP			
AM		0 363 589	4/1990	EP			
AN		0 395 417	10/1990	EP			
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AQ		88/02756	4/1988	WIPO			
AR		88/05052	7/1988	WIPO			
AS		90/12811	11/1990	WIPO			
EXAMINER				DATE CONSIDERED			

P E 23 2004 TRADEMARK OFFICE 10-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION (use several sheets if necessary)				ATTORNEY DOCKET NO. 00537/163002	APPLICATION NO. 09/423,683		
				APPLICANT CAWTHORNE, et al.			
				FILING DATE March 20, 2000	GROUP / EXAMINER 1653/Mohamed, Abdel		
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	AT	91/09056	6/1991	WIPO			
	AU	91/18016	11/1991	WIPO			
	AV	97/01579	1/1997	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AW	BRUNO, J., et al., "Molecular cloning and functional expression of a brain-specific somatostatin receptor," 1992, Proc. Nat. Acad. Sci., 89:11151-11155.					
	AX	COHEN, et al., "Effects of octreotide on lipid metabolism in acromegaly," 1992, Horm. Metab. Res., 24:397-400.					
	AY	DAVENPORT, et al., "Somatostatin type 5 receptors mediate the inhibitory action of somatostatin on insulin secretion in zucker fatty rat perfused pancreas," 1995, Diabetologia, 38(supp 01):A106, abs. no. 410.					
	AZ	FUKUSHIMA, et al., "Effect of simultaneous infusion of a somatostatin analogue, insulin and glucose on serum triglycerides and blood glucose levels in man," 1985, Endocrinol. Japon., 32(2):241-248.					
	BA	HORVATH, A., et al., "Conformations of somatostatin analogues having antitumor activity," 1992, Peptides, p533-534.					
	BB	JAMES, et al., "Carbohydrate tolerance and serum lipids in acromegaly before and during treatment with high dose octreotide," 1991, Diabetic Medicine, 8:517-523.					
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DOC ID NO.: PTO-1449 REPRODUCED			Sheet 4 of 4	
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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)			APPLICANT CAWTHORNE, et al.	
			FILING DATE March 20, 2000	GROUP / EXAMINER 1653/Mohamed, Abdel
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
	BC	MARTIN, et al., "Effect of a zinc phosphate suspension of a long-acting somatostatin analog on postprandial plasma glucose, triglyceride and glucagon concentration in alloxan diabetic dogs," 1984, Life Sciences, 35:2627-2633.		
	BD	NAKABAYSHI, et al., "Effect of somatostatin on the flow rate and triglyceride levels of thoracic duct lymph in normal and vagotomized dogs," 1981, Diabetes, 30:440-445.		
	BE	VAN BINST, G., et al., "Backbone modifications in somatostatin analogues: Relation between conformation and activity," 1992, Peptide Research, 5(1):8-13.		
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